

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

IVAN L. MENDEZ, :
: Plaintiff, :
: v. : Civ. No. 07-800-JJF
: MS. ANNETTE WRIGHT, :
: Defendant. :

O R D E R

WHEREAS, Plaintiff filed a civil rights action pursuant to 42 U.S.C. § 1983 without prepayment of the filing fee;

WHEREAS, on December 28, 2007, the Court entered an Order denying leave to proceed in forma pauperis because Plaintiff had three prior suits dismissed as frivolous or for failure to state a claim upon which relief may be granted, and the instant Complaint does not allege an imminent threat of physical injury (D.I. 4);

WHEREAS, to date, payment has not been received from Plaintiff;

THEREFORE, at Wilmington this 21 day of February, 2008, IT IS HEREBY ORDERED that Plaintiff's Complaint is DISMISSED WITHOUT PREJUDICE.

Joseph A. Townsend
UNITED STATES DISTRICT JUDGE